

Message Text

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C O N F I D E N T I A L SECTION 1 OF 2 GRENADA 00039

EXDIS

FOR S/S RUST DEMING FROM MARK DION

FROM USDEL OASGA

USOAS DEL 21

E.O. 11652: GDS
TAGS: PORG, OAS, OVIP, VANCE, CYRUS)
SUBJ: SECRETARY'S BILATERAL WITH FONMIN ROVIRA

1. PARICIPANTS: US: THE SECRETARY, AMBASSADOR TODMAN,
UNDER SECRETARY HABIB, MRS. VAN REIGERSBERG (INTERPRETER),
MS. ARMSTRONG, L/ARA. (NOTETAKER). URUGUAY: FOREIGN MINISTER
ROVIRA, AMBASSADOR ALVARE.

2. THE SECRETARY BEGAN BY EXPRESSING HIS APPRECIATION FOR
THIS OPPORTUNITY TO SPEAK WITH FOREIGN MINISTER ROVIRA AND
SAID HE HOPED THAT THEY WOULD MEET AGAIN AT THE UN.

3. THE FOREIGN MINISTER FEPLIED BY SAYING IT WAS A PLEASURE
AND AN HONOR TO MEET HIM AND NOTED THAT THE UNCERTAINTY OF HIS
TENURE IN OFFICE (A PROBLEM IN COUNTRIES SUCH AS HIS) MADE IT
IMPOSSIBLE FOR HIM TO SAY THAT HE WOULD BE ABLE TO MEET THE
SECRETARY AT THE UN--ALTHOUGH HE HOPED IT WOULD BE
POSSIBLE.

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4. THE SECRETARY COMMENTED THAT MR. HABIB HAD RESERVED THE
HUMAN RIGHTS ISSUE FOR HIM AND SAID HE THOUGHT THE DISCUSSION
AT THE GENERAL ASSEMBLY THUS FAR HAD BEEN USEFUL IN
THE EVERYONE HAD HAD THE OPPORTUNITY TO PRESENT HIS VIEWS.
WITH REGARD TO THE INTER-AMERICAN HUMAN RIGHTS COMMISSION,
HE SAID HE HOPED THAT THE GOVERNMENT OF URUGUAY WOULD BE

WILLING TO PERMIT ITS ENTRY TO INVESTIGATE CONDITIONS IN THAT COUNTRY. HE SAID HE CONSIDERED SUCH AN INVESTIGATION IMPORTANT FOR A NUMBER OF REASONS: (1) THE STATURE OF THE IAHRC ITSELF, (2) THE CONTRIBUTION URUGUAYAN COOPERATION WITH THE IAHRC WOULD MAKE TOWARD IMPROVING RELATIONS BETWEEN THE US AND URUGUAY, (3) THE EFFECT SUCH A DECISION WOULD HAVE ON THE US CONGRESS. THE SECRETARY EMPHASIZED THAT THE UNITED STATES WANTED TO IMPROVE ITS BILATERAL RELATIONSHIP WITH URUGUAY BUT THAT THE HUMAN RIGHTS PROBLEM HAD RAISED REAL PROBLEMS IN THIS REGARD --PROBLEMS HE WOULD LIKE TO SEE RESOLVED SO WE COULD RE-ESTABLISH OUR LONGSTANDING GOOD RELATIONS OF THE PAST.

5. ROVIRA SAID THAT THE US CONCERN FOR HUMAN RIGHTS WAS NOT ESSENTIALLY DIFFERENT FROM THE TRADITIONAL CONCERNS OF THE GOU BUT THAT ONE HAD TO TAKE INTO ACCOUNT THE PROBLEMS WHICH URUGUAY CONTINUES TO FACE WHEN JUDGING ITS PERFORMANCE. HE SAID THAT SUBVERSION IN URUGUAY HAD BEEN SO INTENSIVE AS TO JEOPARDIZE THE DESTINY OF THE COUNTRY AND THAT IT HAD MADE IT NECESSARY TO DEFEND THE REPUBLIC AS IN WARTIME. ROVIRA DEFENDED HIS GOVT'S ACTIONS CONCERNING THE IAHRC BY SAYING IT HAD DIRECT RELATIONS WITH THE IAHRC BUT HAD OPPOSED A VISIT BECAUSE IT CONSIDERED ON-SITE INVESTIGATIONS TO BE EXTRAORDINARY MEANS WITHOUT LEGAL OR MATERIAL MERIT. HE POINTED OUT THAT THE GOU HAD ALREADY SUBMITTED ALL THE DATA THE IAHRC HAD REQUESTED PRIOR TO ASKING FOR PERMISSION TO VISIT, THAT THE OAS CHARTER DESCRIBED VISITS AS EXCEPTIONAL MEASURES, AND THAT THE IAHRC HAD NEVER MADE FORMAL REQUEST TO VISIT THE

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COUNTRY. ROVIRA SAID THE URUGUAYAN PEOPLE RESENTED THE WAY THEY WERE BEING TREATED AND THAT THIS FEELING HAD TO BE DISSIPATED BECAUSE OUR TWO COUNTRIES HAD BEEN SUCH LOYAL FRIENDS. ROVIRA SUGGESTED THAT THE IAHRC HAD TO BE TIGHTENED UP AND DESCRIBED A BAD EXPERIENCE AMBASSADOR ALVAREZ HAD HAD WHEN HE VISITED THE IAHRC. HE SAID THE USG DID NOT HAVE ACCURATE INFORMATION REGARDING URUGUAY BECAUSE, IF IT DID, IT WOULD KNOW THAT THE GOU COULD NOT LOOSEN ITS CONTROLS OVERNIGHT. IN HIS VIEW, THE GOU HAD TO APPROACH NORMALIZATION DELIBERATELY AND PROVIDED FOR THE SECURITY OF ITS PEOPLE IN THE PROCESS. HE THEN NOTED THAT 90 PERCENT OF THE DENUNCIATIONS OF HUMAN RIGHTS VIOLATIONS WHICH THEY HAD RECEIVED HAD BEEN FOR TUPAMAROS, COMMUNISTS, AND MEMBERS OF OTHER CLANDESTINE ORGANIZATIONS ARE THE SAME PEOPLE WHO TRIED TO MAKE A MARXIST-LENINIST

REVOLUTION AND WERE NOW GIVING URUGUAY A BAD NAME. ROVIRA SAID HE WANTED THE U.S. EMBASSY TO BE AWARE OF THE SITUATION IN HIS COUNTRY BECAUSE URUGUAY HAD ENJOYED A FREE AND

DEMOCRATIC TRADITION.

6. THE SECRETARY THEN ASKED ROVIRA WHAT REFORMS HE FELT WERE NECESSARY FOR THE IAHRC AND AT WHAT PACE HE SAW A RETURN TO NORMALCY.

7. THE FOREIGN MINISTER RESPONDED THAT THE REFORM OF THE IAHRC WAS A MATTER WHICH REQUIRED GREAT THOUGHT BUT THAT A PRACTICAL FIRST STEP MIGHT BE TO REFER THE QUESTION TO THE INTER-AMERICAN JURIDICAL COMMITTEE. HE NOTED THAT THE PERMANENT COUNCIL WAS NOT THE PROPER FORUM FOR DISCUSSION OF LEGAL ISSUES BUT THAT THE IAJC COULD SUBMIT A PRELIMINARY REPORT ON THE PROCEDURAL AND JURIDICAL NORMS WHICH WOULD GIVE THE MEMBER COUNTRIES REAL GUARANTEES. ROVIRA EMPHASIZED THE IMPORTANCE HE ATTACHED TO SUCH REFORMS BY OBSERVING THAT THE IAHRC HAD "EFFECTIVE" WORK TO ACCOMPLISH.

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8. REGARDING THE STRUCTURE OF THE URUGUAYAN GOVERNMENT, ROVIRA EXPLAINED THAT IT WAS A CONSENSUS GOVERNMENT COMPOSED OF CIVILIANS AND MEMBERS OF THE MILITARY. HE THEN DESCRIBED HOW CIVILIANS IN THE EARLY 1970'S SAW THE COUNTRY VERY CLOSE TO CHAOS, USING EXAMPLES FROM HIS OWN CAREER AS PUBLIC SECURITY MINISTER AND MEMBER OF PARLIAMENT, AND SAID IT WAS HARD TO IMAGINE HOW A DEMOCRATIC COUNTRY COULD

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EVER HAVE BEEN FACED WITH SUCH A PREDICAMENT. RETURNING TO THE QUESTION, HE SAID THAT THERE WAS AGREEMENT THAT AT THE END OF THE TERM OF PRESIDENT MENDEZ THE TWO TRADITIONAL POLITICAL PARTIES (THE NATIONALIST AND COLORADO) WOULD BE CONSULTED THROUGH A PLEBISCITE. ROVIRA DESCRIBED THE GOU AS BEGINNING TO TRAVEL THE ROAD OF POPULAR CONSULTATION BUT CAUTIONED THAT DID NOT MEAN THAT URUGUAY WAS NOT IN A CONSTITUTIONAL STATE NOW. HE INVITED THE SECRETARY AND AMBASSADOR TODMAN TO VISIT TO GET FIRST-HAND INFORMATION OF THE SITUATION. HE SAID THAT SUCH A VISIT AND SUBSTAINED SUPPORT OF THE EMBASSY WOULD GIVE A CLEAR VISION OF URUGUAY.

9. THE SECRETARY THEN ASKED WHETHER IN THE PRESENT SITUATION THE COURTS WERE HANDLING ALL THE NORMAL LOAD OF CASES OR WHETHER THERE WERE SPECIAL METHODS OF PROCESSING TERRORISTS CASES.

10. ROVIRA ANSWERED BY SAYING THAT THE CONGRESS IN 1972 (A PERIOD OF NORMALCY) HAD PASSED A LAW ESTABLISHING THAT CASES OF SEDITION BE TRIED IN MILITARY COURTS. HE EXPLAINED THAT THE LAW WAS ADOPTED BY A MAJORITY OF BOTH HOUSES IN CONGRESS AND THAT IT WAS STILL IN EFFECT. ROVIRA DEFENDED THE LAW BY NOTING THAT THE SITUATION HAD BECOME SO CRITICAL BY 1972 THAT CIVIL COURTS WERE UNABLE TO ACT. HE SAID THAT

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CIVILIAN JUDGES COULD NOT BE EXPECTED TO BE SOLDIERS--THAT THEIR FAMILY MEMBERS HAD BEEN THREATENED AND WITNESSES WERE EVEN AFRAID TO APPEAR. HE CHARACTERIZED THE SITUATION AS ONE IN WHICH CIVIL JUSTICE COULD NOT FUNCTION AND SAID THE 1972 LAW HAD TAKEN THIS PROBLEM INTO ACCOUNT AND CONTRIBUTED TO BREAKING SEDITION. ROVIRA PROMISED TO SEND THE SECRETARY INFORMATION ON THE URUGUAYAN SITUATION, NOTING THAT IT WAS ONE WHICH HE EXPECTED WAS ALIEN TO THE UNITED STATES.

11. THE SECRETARY REPLIED THAT WE HAD HAD A PERIOD IN THE SOUTH DURING THE CIVIL RIGHTS MOVEMENT WHEN OUR JUDGES WERE THREATENED -- CIVILIAN JUDGES -- AND THAT IT HAD REQUIRED GREAT COURAGE TO DEAL WITH THE SITUATION. HE SAID HE KNEW OF THE PROBLEMS AS HE HAD HAD FRIENDS WHO WERE JUDGES THERE AT THAT TIME. THE SECRETARY SAID WE HAD BEEN FORTUNATE TO BE ABLE TO WORK OUR WAY THROUGH THIS VERY DIFFICULT PERIOD. AND THAT WE HAD BEEN ABLE TO DO SO WITHOUT REMOVING CASES FROM THE CIVIL COURTS.

12. ROVIRA EXPLAINED AWAY THE US EXAMPLE BY NOTING THAT URUGUAY, UNFORTUNATELY, WAS A SMALL COUNTRY WHERE PROBLEMS SUCH AS THIS COULD NOT BE LOCALIZED AS THE CASE OF THE US

CIVIL RIGHTS MOVEMENT. HE SAID THAT IN URUGUAY THE THREAT WAS GENERALIZED--THAT IT WAS LIKE AN INFECTION WHICH THREATENED THE WHOLE FABRIC OF SOCIETY.

13. THE SECRETARY NOTED THAT HE HAD ENJOYED TALKING WITH ROVIRA.

14. ROVIRA REPLIED THAT HE BELIEVED HE HAD CLEARLY REFLECTED HIS COUNTRY'S POSITION AND THAT HE BELIEVED SOME 98 PERCENT OF URUGUAYANS SUPPORTED WHAT HE HAD SAID.

15. NOTE: MR. HABIB HAD A SEPARATE CONVERSATION WITH FOREIGN MINISTER ROVIRA PRIOR TO THE SECRETARY'S
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ARRIVAL IN WHICH THE LATTER EXPRESSED HIS CONCERN ABOUT THE POSSIBILITY THAT COUNTERVAILING DUTIES MIGHT BE IMPOSED ON URUGUAYAN LEATHER EXPORTS. MR. HABIB EXPLAINED THAT THE FTC AN INDEPENDENT AGENCY WAS LOOKING INTO THE MATTER AND THAT THE PRESIDENT WOULD MAKE THE FINAL DECISION BASED ON ITS REPORT. HE PROMISED TO BRING THIS MATTER TO THE SECRETARY'S ATTENTION.
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